

Jonathan K. Levine (State Bar No. 220289)  
jkl@girardgibbs.com  
Elizabeth C. Pritzker (State Bar No. 146267)  
ecp@girardgibbs.com  
Todd I. Espinosa (State Bar No. 209591)  
tie@girardgibbs.com  
**GIRARD GIBBS LLP**  
601 California Street, Suite 1400  
San Francisco, California 94108  
Telephone: (415) 981-4800  
Facsimile: (415) 981-4846

Attorneys for Individual and Representative  
Plaintiffs Clarke and Rebecca Wixon and  
Norman and Barbara Wixon

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**

Clarke and Rebecca Wixon and Norman  
and Barbara Wixon, derivatively and on behalf of  
themselves and all others similarly situated,

Plaintiffs,

v.

Wyndham Resort Development Corp. (f/k/a  
Trendwest Resorts, Inc.), Gene Hensley, David  
Herrick, John Henley, Peggy Fry and John  
McConnell, and nominally, WorldMark, The  
Club,

Defendants.

Case No. C 07-02361 JSW (BZ)

**~~PROPOSED~~ ORDER DENYING  
DIRECTOR DEFENDANTS'  
ADMINISTRATIVE MOTION FOR  
PERMISSION TO EXCEED PAGE  
LIMIT FOR MOTION TO DISMISS  
PLAINTIFFS AS REPRESENTATIVES  
AND THE DERIVATIVE ACTION  
PURSUANT TO FED. R. CIV. P. 23.1**

**CLASS AND DERIVATIVE ACTION**

**~~[PROPOSED]~~ ORDER DENYING ADMINISTRATIVE MOTION**

Having reviewed the parties' papers and considered their arguments and the relevant legal authority, and good cause appearing, the Court hereby DENIES the administrative motion of the Director Defendants for permission to exceed the page limit on their motion to dismiss Plaintiffs as representatives and the derivative action pursuant to Rule 23.1 of the Federal Rules of Civil Procedure.

~~Director Defendants have both failed to demonstrate any basis for departing from the generally applicable page limit set forth in the Court's Civil Standing Order No. 6 and failed to comply with the requirements of Civil Local Rule 7-11(a).~~

This Court is well versed in the facts and procedural history of this case. Accordingly, the Court does not find there is good cause to grant the Director Defendants' request.

**IT IS SO ORDERED.**

Dated: April 21, 2009.

  
JEFFREY S. WHITE  
UNITED STATES DISTRICT JUDGE